

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Final Office Action dated February 17, 2005, addressing Applicants' Request for Reconsideration dated September 17, 2004, claims 1-20 are pending in the application. Applicants respectfully request the Examiner for reconsideration.

Applicants have supplied a replacement paragraph.[0001] providing serial numbers and filing dates of related applications and have deleted references to attorney docket numbers for those serial numbers. Examiner is respectfully requested to enter the amended paragraph.

In the Final Office Action the Examiner indicates that Applicants' arguments are moot in view of the new ground(s) of rejection, the new grounds of rejection being necessitated by Applicants' amendment. However, Applicants made no amendment in their last response that prompted the current Final Office Action. Although there is a new ground of rejection, the prior art used here to support the new ground of rejection is the same prior art made of record in the Office Action dated July 20, 2004. Applicants' arguments made concerning the *Juzswik* reference in response to the last Office Action should not have been considered as moot, but should have been considered in order to further prosecution of the present application. Specifically, as argued by the Applicants, the *Juzswik* reference fails to disclose each and every element of the present claims and the Final Office Action did not consider all the arguments previously presented. Moreover, no additional references were provided that teach or suggest the missing elements. Applicants incorporate by reference the arguments made in the response dated September 17, 2004. Applicants request Examiner's review and indication that the additional prior art now relied upon does not teach or suggest each and every element as required by the claims, as demonstrated below.

35 USC §112

Claims 1-7 stand rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention

Regarding Claim 1, the Examiner indicates "it is not clear whether applicant intends 'the pressure transmitters are not in a fault condition' is intended to be an indication of the fault by the transmitters or a fault in the transmitters." Applicants have clearly set out in the specification that "the composite warning may also include a sensor status portion to indicate a transmitter fault on behalf of the pressure sensor." Applicants have not limited Claim 1 to a particular type of fault as is presupposed by the Final Office Action. Applicants have claimed the *composite warning status* provides an in-range signal when the pressure statuses have not exceeded the pressure threshold and the pressure transmitters are not in a fault condition. The assumption in the Final Office Action is incorrect, in the claim it is a composite warning status, not a composite warning. As represented by the table given in the specification (shown below), the composite warning status may indicate Flat, Low, High, Fault, or In-Range. As an example, using the Examiner's assumption of a transmitter/sensor fault, the composite warning status would indicate "fault." Accordingly, in order to have a composite warning status providing an in-range signal, the pressure statuses have not exceeded the pressure threshold and the pressure transmitters are not in a fault condition.

Sensor Status	Flat Warning Status	Low Warning Status	High Warning Status	Composite Warning Status
Don't Care	TRUE	Don't Care	Don't Care	Flat
Don't Care	False	TRUE	Don't Care	Low
Don't Care	False	False	TRUE	High
Transmitter_Fault	False	False	False	Fault
In Range	False	False	False	In Range

Claim 4 is similar to Claim 1 and supported by the specification as indicated above. It matters not whether the fault is by the sensors or the fault is in the sensors as the Final Office Action presupposes. Accordingly, in order to have a composite warning status providing an in-range signal, the pressure statuses have not exceeded the pressure threshold and the pressure sensors are not in a fault condition.

35 USC §103

In the Final Office Action, Claims 1-7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Juzswik et al.* (6,612,165) in view of *DeZorzi* (6,667,687). Applicants respectfully traverse.

Claim 1 requires a controller coupled to the pressure transmitter, the controller receives a pressure signal and in a first stage, compares the pressure signal to a pressure threshold to obtain a sensor status and in a second stage, qualifies the sensor status signal by generating a composite warning status in response to the sensor status, wherein the composite warning status provides an in-range signal when the pressure statuses have not exceeded the pressure threshold and the pressure transmitters are not in a fault condition. *Juzswik* is a tire pressure monitoring system with pressure gauge operating mode for indicating when air pressure within a tire is within a predetermined pressure range. Applicants thank the Examiner for indicating on page 3 (paragraph #5) of the Final Office Action that *Juzswik* does not disclose "the composite warning system including a signal when the pressure transmitters/sensors are not in a fault condition." Applicants wish to impress that Claim 1 requires a composite warning status. *Juzswik* does not teach or suggest the composite warning status provides an in-range signal when the pressure statuses have not exceeded the pressure threshold and the pressure transmitters are not in a fault condition. The Final Office Action indicated, "DeZorzi teaches a tire condition sensor system providing indication of a faulty sensor (col.5, lines 50-65)." While it is true that *DeZorzi* is a tire condition communication system and *DeZorzi* discloses on lines 50-65 of column 5 "If the vehicle-based unit...does not receive the tire condition signal, the vehicle-based unit interprets the lack of the communication from the tire condition sensor unit as an indication that the sensor unit is faulty", *DeZorzi* does not teach or suggest the pressure transmitters are not in a fault condition. Moreover, *Juzswik* and *DeZorzi* fail to teach or suggest the composite warning status provides an in-range signal when the pressure statuses have not exceeded the pressure threshold and the pressure transmitters are not in a fault condition. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §103 be withdrawn as *Juzswik* in view of *DeZorzi* fails to teach or suggest every limitation of Claim 1. Further, no reason has been shown why one of skill

in the art would modify the *Juzswik* or *DeZorzi* references as is presupposed in the Final Office Action.

The claims should be allowed since the cited references fail to teach or suggest each and every element of the claims. Claim 1 requires in a second stage, qualifying the sensor status signal by generating a composite warning status in response to the sensor status. Specifically, as also argued in the last Office Action, *Juzswik* fails to disclose in a second stage, qualifying the sensor status signal by generating a composite warning status in response to the sensor status. While it is true *Juzswik* discloses on line 45 of Col. 1 through line 2 of Col. 2 that "a need exists for an accurate and reliable air pressure measuring system and method for indicating that the air pressure within the tire has come within the desired pressure range during the filling process by the vehicle operator or service technician", *Juzswik* and *DeZorzi* fail to teach or suggest in a second stage, qualifying the sensor status signal by generating a composite warning status in response to the sensor status as required by Claim 1. Additionally, *Juzswik* and *DeZorzi* fail to teach or suggest a second stage qualifying the sensor status signal by generating a composite warning status in response to the sensor status, wherein the composite warning status provides an in-range signal when the pressure statuses have not exceeded the pressure threshold and the pressure transmitters are not in a fault condition. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §102 be withdrawn as *Juzswik* fails to teach or suggest every limitation of Claim 1.

Claim 4 requires in a second stage, qualifying the sensor status signal by generating a composite warning status in response to a sensor status, wherein the composite warning status provides an in-range signal when the pressure statuses have not exceeded the pressure threshold and the pressure sensors are not in a fault condition. *Juzswik* and *DeZorzi* fail to teach or suggest every limitation of Claim 4 as noted above in Claim 1. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §102 be withdrawn.

In the Final Office Action, Claims 8-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over *Juzswik et al.* (6,612,165) in view of *DeZorzi* (6,667,687) in further view of *Bezek et al.* (6,278,363). Applicants respectfully traverse.

Claim 8 requires in a second stage, determining a composite warning status signal in response to a plurality of pressure status signals, wherein the composite warning status combines a low pressure warning status, a flat pressure warning status, a high pressure warning status, and a sensor status for each of the received pressure signals. *Juzswik*, *DeZorzi* and *Bezek* fail to teach or suggest every limitation of Claim 8 as noted above in Claim 1. Also, the *Juzswik*, *DeZorzi* and *Bezek* references fail to disclose in a second stage, determining a composite warning status signal in response to the plurality of pressure status signals, wherein the composite warning status combines a low pressure warning status, a flat pressure warning status, a high pressure warning status, and a sensor status for each of the received pressure signals. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §103 be withdrawn as *Juzswik*, *DeZorzi* and *Bezek* fail to teach or suggest every limitation of Claim 8. Furthermore, no reason has been shown why one of skill in the art would modify the *Juzswik*, *DeZorzi* and *Bezek* references as is presupposed in the Office Action.

Claim 15 requires determining a composite warning signal in response to a high pressure warning status signal, a low pressure warning status signal, and a flat pressure status signal, wherein the composite warning status combines the low pressure warning status, the flat pressure warning status, the high pressure warning status, and a sensor status for each of the received pressure signals. *Juzswik*, *DeZorzi* and *Bezek* fail to teach or suggest every limitation of Claim 15 as noted above in Claim 1. Also, the *Juzswik*, *DeZorzi* and *Bezek* references fail to disclose in a second stage, determining a composite warning status signal in response to the plurality of pressure status signals, wherein the composite warning status combines a low pressure warning status, a flat pressure warning status, a high pressure warning status, and a sensor status for each of the received pressure signals. Accordingly, Applicants respectfully request that the rejection under 35 U.S.C. §103 be withdrawn as *Juzswik* in view of *DeZorzi* in further view of *Bezek* fail to teach or suggest every limitation of Claim 15. Furthermore, no reason has been shown why one of skill in the art would modify the *Juzswik*, *DeZorzi* and *Bezek* references.

Applicants in an early-filed Request for Continued Examination dated on June 3, 2004, amended each independent claim to include a composite warning status that is qualified in the second stage of the controller. This composite warning status that is qualified in the second stage of the controller as required by the claim is not shown in the prior art. Accordingly, Applicants respectfully request a Notice of Allowance indicating the same.

Applicants further assert that dependent Claims 2-3, 5-7, 9-14, and 16-20 are allowable for the reasons as set forth above in the independent claims. Applicants respectfully request the Examiner to reconsider this application in view of the comments above.

Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,
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